

**REMARKS/ARGUMENTS**

Claims 1-7 are pending in the application. Claims 1-7 have been amended. Support for the claims can be found in the specification as originally filed. No new matter has been introduced by virtue of these amendments.

**Section 102 Rejections**

Claims 1-7 were rejected under 35 U.S.C. §102(b) as being anticipated by Kimura et al. (U.S. Patent No. 5,812,477). These claim rejections are overcome as follows.

Independent claim 1 is patentable over Kimura et al. because, for instance, Kimura et al. does not teach or suggest that "the recording condition is previously recorded on the recording medium, the recording condition including a linear recording velocity of the oscillated laser light, a recording power of the oscillated laser light, amplitude information of the reproduced signal, an asymmetry of the recording power, a change ratio of the amplitude information to the recording power of the oscillated laser light, and a change ratio of the amplitude information to the linear recording velocity."

Independent claim 5 is patentable over Kimura et al. because, for instance, Kimura et al. does not teach or suggest "a recording condition comprising at least a linear recording velocity, recording power and amplitude information of the reproduced signal is previously recorded."

Independent claim 6 is patentable over Kimura et al. because, for instance, Kimura et al. does not teach or suggest "a recording condition comprising at least a plurality of linear recording velocities, a plurality of recording powers and a plurality of pieces of amplitude information of the reproduced signal is previously recorded."

Independent claim 7 is patentable over Kimura et al. because, for instance, Kimura et al. does not teach or suggest "a recording condition comprising at least a plurality of linear recording velocities, a plurality of recording powers and a plurality of pieces of amplitude information of the reproduced signal is previously recorded."

The Kimura Reference Does Not Teach or Suggest the Recording Condition is Previously Recorded onto the Recording Medium

The claimed invention is directed to determining a recording condition by using an optimum recording power, the asymmetry at the optimum recording power, and the change ratio of the asymmetry to the power in the vicinity of the optimum recording power. See, e.g., FIG. 7 and page 14, lines 9-14 of the present specification as originally filed. FIG. 7 of the present invention shows the asymmetry graphed as a function of normalized recording power for each linear recording velocity.

In the claimed invention, the optimum recording power, the asymmetry at the optimum recording power, and the change ratio of the asymmetry to the power are previously recorded on the recording medium. The asymmetry obtained by reproducing data after recording the data on the recording medium is substituted for the asymmetry in the above relationship and by this substitution the objective value of the recording power is calculated and the recording power is controlled so as to coincide with the objective value. See, e.g., page 13, line 11 to page 14, line 3; page 14, line 9 to page 15, line 10; and FIG. 7 of the present specification.

The Kimura reference is directed to an information recording medium, where only the primary value (i.e., the power level for forming a low-temperature level state in the recording layer of a magneto-optical disk) of the recording power is previously recorded and the relationship between asymmetry (i.e., regarding amplitude information of a reproduced signal) and the recording power is not previously recorded. See, e.g., column 6, lines 23-62, FIG. 7 of Kimura. This is evident in Kimura since the data is recorded by increasing the recording power from the primary value gradually and the reproduced signal is obtained one by one in a manner of trial and error (see, e.g., FIGS. 4 and 7 of Kimura).

The Kimura reference does not disclose that the recording power is introduced from asymmetry obtained from the reproduced signal and the relationship between the asymmetry and the recording power, in which the relationship is previously recorded on the information recording medium. While the Kimura reference discloses an asymmetry detection circuit 19 (see, e.g., column 5, lines 40-41 of Kimura), the Kimura reference does not teach or suggest that the asymmetry information, as well as the recording power, is "previously recorded on the recording medium" as stated in independent claim 1.

Based upon the failure of the reference relied upon the Examiner to disclose each and every element of independent claim 1, it is respectfully asserted that claim 1, and claims 2-4 depending therefrom, are patentable.

Independent claims 5-7 also emphasize that a recording condition comprises at least a linear recording velocity, recording power, and amplitude information of the reproduced signal is previously recorded.

As stated above, the Kimura reference does not disclose that the asymmetry information and recording power, among other things, are previously recorded on the recording medium.

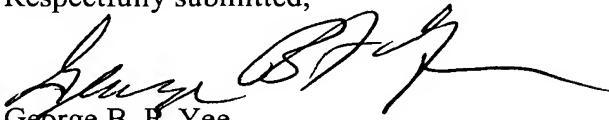
Based upon the failure of the reference relied upon the Examiner to disclose each and every element of independent claims 5-7, it is respectfully asserted that these claims are patentable. Independent claims 1 and 5-7, as well as claims 2-4 depending therefrom, are submitted to be patentable. The Section 102 rejection of the claims is believed to be overcome.

CONCLUSION

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 650-326-2400.

Respectfully submitted,

  
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